

CONGRESSIONAL RECORD SUMMARY

Monday, September 30, 2002

SENATE

Measures Introduced:

S. 3015. *A bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse;" to the Committee on Environment and Public Works.*

Bingaman *Pages S 9595, S 9596*

S. 3017. *A bill to amend title 18, United States Code, to provide retroactive effect to a sentencing safety valve provision; to the Committee on the Judiciary.*

"...Congress acknowledged this in enacting so-called 'safety valve' provisions as part of the 1994 crime bill. These provisions allowed a narrow class of offenders, that is individuals with no criminal history, who committed a nonviolent crime, were not leaders or organizers of the crime, and who cooperated fully with the government, to petition the court for a review of their sentence. However, the safety valve provisions did not apply to offenders sentenced before the bill became law in 1994. As a result, individuals who have arguably been most impacted by the mandatory minimum sentencing laws that the safety valve provisions sought to remedy, have been unable to benefit from their passage. This bill would rectify this situation by making the safety valve provisions retroactive to allow first-time nonviolent drug offenders convicted prior to the passage of the 1994 crime bill to petition the court for a reconsideration of their sentence. The existing safety valve law is not a 'get out of jail free' card. It simply allows prisoners to petition the courts for reconsideration..."

Levin *Page S 9595, S 9596-97*

SA 4843. *An amendment intended to be proposed to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.*

"...Strike all after the first word and insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the 'National Homeland Security and Combating Terrorism Act of 2002.'

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) Divisions.--This Act is organized into 5 divisions as follows:

- (1) Division A--National Homeland Security and Combating Terrorism.
- (2) Division B--Immigration Reform, Accountability, and Security Enhancement Act of 2002.
- (3) Division C--Federal Workforce Improvement.
- (4) Division D--E-Government Act of 2002.
- (5) Division E--Flight and Cabin Security on Passenger Aircraft..."

Lieberman *Pages S 9598-9648*

Measures Reported:

S. 2998, *to reauthorize the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988, with amendments. (S. Rept. No. 107-292);*

S. 2949, *to provide for enhanced aviation security, with amendments. (S. Rept. No. 107-293).*

Pages S 9594-95, D 1005

S. Res. 331 - Relative to the Death of Representative Mink:

Senate agreed to **S. Res. 331**, relative to the death of Representative Patsy T. Mink, of Hawaii.

Pages S 9650, D 1005

H.R. 5005 - Homeland Security Act:

Senate resumed consideration of H.R. 5005, to establish the Department of Homeland Security, taking action on the following amendments proposed thereto:

Pages S 9566-73, S 9580-89, D 1005

"... In the homeland security bill, we are trying to solve a Government-wide problem. It is much too big. It is much too politically difficult. There are too many entrenched interests to successfully address that situation. We are trying to say, with regard to homeland security, with the issue most important to our country: Let's have a little flexibility in these civil service rules that we have not had in times past. [] We will see not only waste, fraud, abuse, and mismanagement, overlap and duplication, but we will see the border not protected the way it should be, airline safety not being what it should be, cargoes will not be examined the way they should be, the information technology we need to tie all this together so we can keep up with the bad guys will not be what it should be because we have seen it has not worked in any other aspect of Government. What makes us think that just by creating this new Department under the same old rules it will work any better in this new Department of Government? If anything, there will be new problems that will be created from this new Department of Government because we are talking about bringing together over 170,000 Federal employees. It will require the coordination of 17 different unions, 77 existing collective bargaining agreements, 7 different payroll systems, 80 different personnel management systems--80--an overwhelming task by any stretch of the imagination..."

(Reid, Pages S 9566-67)

Pending:

Lieberman Amendment No. 4471, in the nature of a substitute.

Pages S 9566, D 1005

Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), of a perfecting nature, to prevent terrorist attacks within the United States.

Pages S 9566, D 1005

Nelson (NE.) Amendment No. 4740 (to Amendment No. 4738, to modify certain personnel provisions).

Page S 9566, D 1005

Daschle motion to commit the bill to the Committee on Governmental Affairs and that it be reported back forthwith with the pending ***Lieberman Amendment No. 4471***, listed above, as amended.

Daschle Amendment No. 4742 (to the instructions of the motion to commit H.R. 5005 to the Committee on Governmental Affairs), of a perfecting nature, to prevent terrorist attacks within the United States.

Daschle Amendment No. 4743 (to Amendment No. 4742), to modify certain personnel provisions.

Daschle motion to reconsider the vote (Vote No. 227) by which cloture was not invoked on

Gramm/Miller Amendment No. 4738 (to Amendment No. 4471), listed above.

A unanimous-consent agreement was reached providing that the cloture vote on ***Gramm/Miller Amendment No. 4738 (to Amendment No. 4471)***, will occur at 12 noon on Tuesday, October 1, 2002.

Pages S 9650-51, D 1005

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Tuesday, October 11, 2002, with a vote on the motion to close further debate on ***Gramm/Miller***

Amendment No. 4738 (to Amendment No. 4471), to occur at 12 noon.

Pages S 9650-51, D 1005

Committee Meetings:

Committee on Armed Services: On Friday, September 27, Committee concluded hearings on the nomination of *Charles E. Erdmann, of Colorado, to be a Judge of the United States Court of Appeals for the Armed Forces*, after the nominees testified and answered questions in their own behalf.

Page D 1006

Committee Meetings for Tuesday, October 1,2002:

_____ **Committee on the Judiciary: @ 11:00 a.m. To hold hearings to examine recent Supreme Court jurisprudence on federalism issues. SD-226.**

Remarks:

Department of Justice Authorization.

"...This conference report creates or extends 20 Federal judgeships. Those are more than all the judgeships created during the 6-plus years the Republican party controlled the United States Senate and blocked both Clinton administration judicial nominations and the creation of new Federal judicial positions. We have included new Federal judges in Arizona, Alabama, Texas, New Mexico, among others. I have heard repeatedly from our Republican friends that although they have blocked the creation of the judges during the previous administration, they want them now. I put them in. Every single Democrat is ready to vote for it and the Republicans are blocking..."

Leahy

Pages S 9585-87

Homeland Security.

Nelson

Pages S 9587-89

HOUSE

Bills Introduced:

H.R. 5500. *A bill to provide that Members of Congress be made ineligible for coverage under the Federal employees health benefits program, and instead be made eligible for coverage under the Medicare Program; to the Committee on House Administration, and in addition to the Committees on Government Reform, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Israel

Page H 6783

H.R. 5502. *A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the pay-as-you-go provisions through fiscal year 2007, and for other purposes; to the Committee on the Budget.*

Spratt

Page H 6783

Reports Filed:

Reports were filed today as follows:

H.R. 4125, to make improvements in the operation and administration of the Federal courts (House Report 107-700); and

H.R. 4561, to amend title 5, United States Code, to require that agencies, in promulgating rules, take into consideration the impact of such rules on the privacy of individuals (House Report 107-701).

Pages H 6783, D 1007

Executive Communications:

EC.-9414. A letter from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department's final rule -- *Financial Crimes Enforcement Network; Special Information Sharing Procedures To Deter Money Laundering and Terrorist Activity* (RIN: 1506-AA27) received September 23, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

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Committee Meetings For Tuesday, October 1, 2002:

Committee on Government Reform, @ 10:00 a.m. & 12:00 p.m. Subcommittee on Technology and Procurement Policy, hearing on "*Ensuring Coordination, Reducing Redundancy: A Review of OMB's Freeze on IT Spending at Homeland Security Agencies;*" **and to mark up H.R. 2458, E-Government Act of 2001.** 2154 Rayburn.

Committee on the Judiciary, @ 4:00 p.m. Subcommittee on Crime, Terrorism and Homeland Security, hearing and markup of **H.R. 5422, Child Abduction Prevention Act.** 2237 Rayburn.

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House Chamber Program For Tuesday, October 1, 2002:

Consideration Of Suspensions:

H.R. 5472, Protection of Family Farmers Act (Bankruptcy);

H.R. 4125, Federal Courts Improvement Act.

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Remarks:

The Identity Theft Consumer Notification Act.

"... Lastly, a recent Supreme Court case limited the statute of limitations for victims seeking compensation from credit reporting agencies that allowed criminals to falsely use another person's financial information. The Court held that the statute of limitations begins to toll at the time a crime was committed, rather than at the time that the crime was eventually discovered by the victim. Given that the statute of limitation is only two years, it makes sense to start the clock at the time the crime is discovered, rather than at the time the crime was committed, since that abbreviated time limit leaves some victims unable to seek compensation..."

Kleczka

Page E 1692

Remarks (Cont.):

Introducing The Tribal Government Homeland Security Coordination And Integration Act.

"...Once this bill is signed into law, federal, state, local and tribal governments within the United States will be fully integrated in a national homeland security strategy. Moreover, my bill will ensure that all levels of government are engaged in a coordinated effort and well equipped to defend against bioterrorism and to handle any other public health or safety emergency that threatens our land or people. For the first time in the history of our country, every government in America will be positioned and united to assist in the singular effort of protecting what we have here on our shores. [] I am introducing this bill to ensure the coordination and integration of tribal governments in the national homeland security strategy and to establish an Office of Tribal Government Homeland Security within the Department of Homeland Security. The bill will also designate specific provisions for the BIA and the IHS to participate in homeland security funding..."

Pallone

Pages E 1704-5

Next SENATE MEETING: Tuesday, 9:30 a.m., October 1, 2002.

Next HOUSE MEETING: Tuesday, 10:30 a.m., October 1, 2002.

OLA: S. Schwarz, A. Santos